

COMPLAINT INVESTIGATION SUMMARY

COMPLAINT NUMBER:	2015.03
COMPLAINT INVESTIGATOR:	Susan Reimlinger
DATE OF COMPLAINT:	March 14, 2003
DATE OF REPORT:	April 10, 2003
REQUEST FOR RECONSIDERATION:	yes/revised May 13, 2003
DATE OF CLOSURE:	May 13, 2003

COMPLAINT ISSUES:

Whether the Greenfield-Central Community Schools and the Hancock-South Madison Joint Services violated:

511 IAC 7-27-4(c) by failing to utilize the case conference committee (CCC) to change the student's placement, specifically, by making a unilateral decision to reduce the student's school day to half a day.

FINDINGS OF FACT:

1. The Student is 10 years old, attends the local elementary school (the School), and is eligible for special education and related services as a student with an emotional disability, a learning disability, and a communication disorder.
2. The Student's IEP, developed on May 8, 2002, indicates in the section titled "least restrictive placement" a "reduced day - [Student] will be picked up at 1:30 daily. This will be evaluated 2-3 weeks after school starts." An addendum to the Student's IEP, dated September 3, 2002, indicates that the Student's length of day was reviewed by the CCC but not extended. A subsequent addendum to the Student's IEP, dated October 9, 2002, includes a plan to gradually extend the Student's school day to a full day. Documentation from the Principal dated March 21, 2003, indicates that, beginning in November 2002, the Student's school day was gradually lengthened to a full day.
3. The Complainant alleges that on March 13, 2003, the same day the complaint was written, a staff member from the special education office called to say that "they had made a decision on their own to reduce [the Student's] school day back to a half day based on current aggressive behavior." The only documentation submitted regarding attendance uses a format of dividing each day into A.M. and P.M., but does not include the specific hours of each day that the Student was in school.

CONCLUSIONS:

1. While Finding of Fact #3 indicates that the Complainant alleges that the Student's school day was going to be reduced "back to a half day," and Finding of Fact #2 indicates that beginning November 2002, the Student began going to school for a full day. Findings of Fact #2 and #3 also indicate that the School did not unilaterally reduce or extend the Student's length of school day. Therefore, a violation of 511 IAC 7-27-4(c) is not found.

The Department of Education, Division of Exceptional Learners does not require corrective action based on the Findings of Fact and Conclusions listed above.